

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

vs.


SIXING LIU

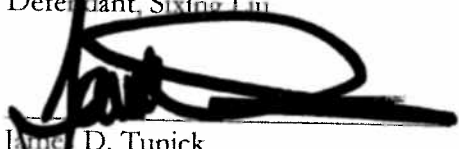
)  
)  
) Criminal No. 11-208 (SRC)  
) Judge Stanley R. Chesler presiding  
) Magistrate Madeline Cox Arleo  
)

**FEDERAL RULE OF CRIMINAL PROCEDURE 10(b) WAIVER OF APPEARANCE FOR  
ARRAIGNMENT ON SECOND SUPERSEDING INDICTMENT**

Defendant, Sixing Liu ("Defendant"), by and through his attorney, James D. Tunick, in accordance with Federal Rule of Criminal Procedure 10(b), requests that he waive his presence in the United States District for the District of New Jersey for his scheduled arraignment on the Second Superseding Indictment and in supports states as follows.

I, Sixing Liu, am the Defendant in this case, and I have been charged in the Second Superseding Indictment with eleven (11) felony counts. I have received a copy of the Second Superseding Indictment and reviewed it in its entirety. I would like to waive my appearance in the United States District for the District of New Jersey for the arraignment on the Second Superseding Indictment. I am pleading not guilty to all eleven counts alleged in the Second Superseding Indictment. I will also be available to plead not guilty before this Honorable Court by way of telephonic conference for the scheduled arraignment, currently set for Tuesday Aril 17, 2012 at 1:30 p.m.

  
Defendant, Sixing Liu

  
James D. Tunick  
Attorney for Defendant Sixing Liu

04/09/12  
Dated

4/10/12  
Dated

7/13/2012  
SO ORDERED:

STANLEY R. CHESLER, U.S.D.J.

**LAW OFFICE OF JAMES D. TUNICK**

*Attorney at Law*

30 N. LASALLE STREET, SUITE 2140

CHICAGO, ILLINOIS 60602

JAMES D. TUNICK

FAX (312) 580-1839

TELEPHONE (312) 759-7626

April 11, 2012

Honorable Stanley R. Chesler  
United States District Judge  
United States District Court  
For the District of New Jersey  
Federal Square  
Newark, NJ 07102

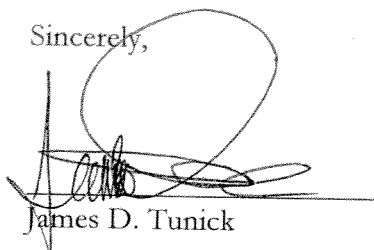
Re: *United States v. Sixing Liu* Crim. No. 11-208 (SRC)

Dear Judge Chesler,

As you are probably aware, the United States Attorney's has obtained a Second Superseding Indictment against Defendant, Sixing Liu. There are eleven (11) counts in the Second Superseding Indictment charged by the grand jury against Defendant. The only distinctions between the Superseding Indictment and the Second Superseding Indictment are that 1) there are two fewer allegations violations of the International Traffic in Arms Regulations ("ITAR") 2) there is one more count alleged for alleged false statements to federal agents, in violation of 18 U.S.C. Section 1001 and 3) the Second Superseding Indictment alleges, for the first time, that Defendant possessed a stolen trade secret. Defendant has previously pleaded not guilty to the alleged ITAR violations and the false statement allegations contained in the Superseding Indictment.

Consistent with the provisions contained in Federal Rule of Criminal Procedure 10(b), Defendant is requesting a waiver of his appearance in the United States District Court for the District of New Jersey. Defendant and I have signed a waiver acknowledging receipt of the Second Superseding Indictment and that it has been reviewed it in its entirety. In the waiver, Defendant pleads not guilty to all eleven counts. Defendant will be available to plead not guilty before Your Honor by way of telephonic conference for the scheduled arraignment, currently set for Tuesday April 17, 2012 at 1:30 p.m. Thank you for your consideration of this matter.

Sincerely,



James D. Tunick

Via electronic mail to [Jud.Welle@usdoj.gov](mailto:Jud.Welle@usdoj.gov)

Via electronic mail to [Gurbir.Grewal@usdoj.gov](mailto:Gurbir.Grewal@usdoj.gov)